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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,890	04/09/2001	Kazuhiko Takabayashi	450106-02394	5346

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EXAMINER

DANG, HUNG Q

ART UNIT PAPER NUMBER

2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/674,890

Applicant(s)

TAKABAYASHI ET AL.

Examiner

Hung Q. Dang

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/07/2000.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1- 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takagi et al. (US Patent 5,999,691), Shinohara et al. (US Patent 5,740,306), and Naimpally (US Patent 5,619,337).**

Regarding claim 1, Takagi et al. disclose a receiving apparatus, comprising: receiving means for receiving the video data ("tuner 1" in Fig. 1; column 3, lines 21-23); storing means for storing the video data (column 3, lines 23-25); and reproduction control means for controlling and reproducing said video data in accordance with a setting (column 3, lines 28-32; column 9, lines 61 – column 10, line 10).

However, Takagi et al. do not disclose video data as segment data obtained by segmenting contents into meaningful segments and meta-information including a unique ID every said segment data are distributed and which receives the distributed segment data and meta-information; storing the segment data received by said receiving means as said segments as they are and storing the meta-information of said segment data received together with said segment data in association with said received segment data.

Shinohara et al. disclose video data as segment data obtained by segmenting contents into transport packets, which are meaningful segments (column 12, lines 26-37) and meta-information including a unique ID, which is headers of the transport packets (column 39, lines 45-54) every said segment data are distributed (column 12, lines 26-37) and an apparatus, which receives the distributed segment data and meta-information (column 39, lines 45-54).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the features of segmenting the video data and sending meta-information including a unique ID as disclosed by Shinohara et al. into the receiving apparatus disclosed by Takagi et al. to make the apparatus compatible with inputs of existing standard formats such as MPEG, which employs segmenting of video data into packets and attaching headers to the packets.

However, the proposed combination of Takagi et al. and Shinohara et al. does not disclose storing the segment data received by a receiving means as said segments as they are and storing the meta-information of said segment data received together with said segment data in association with said received segment.

Naimpally discloses storing the segment data received by a receiving means as said segments as they are and storing the meta-information of said segment data received together with said segment data in association with said received segment by receiving and recording a transport stream of video data in transport stream format (column 3, lines 12-21).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the feature of receiving and recording a transport stream of video data in transport stream format as disclosed by Naimpally into the receiving apparatus disclosed by Takagi et al. and Shinohara et al. to eliminate the need of an unnecessary full MPEG decoder (see Naimpally, column 3, lines 10-12).

Regarding claim 2, Shinohara further disclose the storing means compares the meta-information of said stored segment data with the meta-information of segment data newly received (column 39, lines 45-57). Also, it is noted that one of ordinary skill in the art would recognize the receiving and recording apparatus disclosed by Takagi et al., Shinohara et al., and Naimpally receives and records transport stream packets, each of which carries a segment of video contents data, thus, in general does not coincide with one another. For that reason, the limitation of “when said newly received segment data and said stored segment data do not coincide, stores said newly received segment data” is fully disclosed.

Regarding claim 3, Takagi et al. also disclose the storage of said received segment data into said storing means and the reproduction of said segment data stored in said storing means are executed in parallel (column 9, line 40 – column 10, line 10).

Regarding claim 4, Takagi et al. also disclose said reproduction control means changes the reproducing order for every said segment data of said received segment data and/or said segment data stored in said storing means on the basis of set information (column 9, line 40 – column 10, line 10).

Regarding claim 5, Takagi et al. also disclose said reproduction control means executes said change during the reproduction of said segment data (column 9, line 40 – column 10, line 10).

Regarding claim 6, Takagi et al. also disclose said reproduction control means changes the number of times of reproduction for every said segment data of said received segment data and/or said segment data stored in said storing means on the basis of set information (column 9, lines 52-55).

Regarding claim 7, said reproduction control means executes said change during the reproduction of said segment data (column 9, lines 40-58).

Regarding claim 8, said reproduction control means changes a reproducing interval for every said segment data of said received segment data and/or said segment data stored in said storing means on the basis of set information (column 9, line 40 – column 10, line 10).

Regarding claim 9, said reproduction control means executes said change during the reproduction of said segment data (column 9, line 40 – column 10, line 10).

Claim 10 is rejected for the same reason as discussed in claim 1 above.

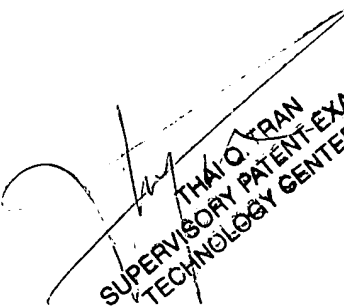
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is 571-270-1116. The examiner can normally be reached on M-Th:7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hung Dang  
Patent Examiner

  
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